

**Regular Session Minutes – Selectmen’s Meeting
Selectmen’s Meeting Room, Town Hall
Monday, February 29, 2016 - 7:30 p.m.**

PRESENT: Mark Siegenthaler, Chair; Caroline Fedele; William S. Moonan; Margot Fleischman; Michael A. Rosenberg and Town Manager Richard T. Reed

ALSO PRESENT: Facilities Director Taissir Alani; Uma Kaundinya, Aavishkar Innovations Inc.; Depot Park Advisory Committee members Joseph Piantedosi, Stuart Trout and James Shea; Finance Director Victor Garofalo; State Representative Kenneth Gordon; Conservation Commission chair Steven Hagan; Jan Shepard; Judith Eggleston; Donna Waghorne; Assistant Town Manager Michael Rosen; Finance Committee member Ben Thomas; Press Representatives Debra Parkhurst; Brian Dorrington, Bedford TV

Chair Siegenthaler called the meeting to order at 7:30 p.m.

16-202 Old Town Hall Lease Approvals – Aavishkar Innovations Inc. – Martha Shea Smith Art

Facilities Director Taissir Alani presented two Old Town Hall leases for the Selectmen’s approval. The current Bedford Center for the Arts (BCA) lease will expire on February 29, 2016. A request for proposals was issued and there were two responses from Aavishkar Innovations Inc. and Martha Shea Smith Art. The two are currently subleasing the space from BCA. The term for both leases is one year with the option to renew for two more years. The rent from both is about the same as what was being collected from BCA. Martha Shea Smith Art will be occupying Room 109 and Aavishkar Innovations Inc. will occupy rooms 100, 101 and 110.

Town Manager Richard Reed pointed out two changes that were made to the proposed leases. The umbrella insurance requirement of 5 million dollars was reduced to 1 million dollars. Also the tenants will be allowed five days from the issuance of the lease to provide a certificate of insurance.

Chair Siegenthaler voiced his concern about leasing Town space to private tenants and that he does not think the Town should be a landlord.

Ms. Fleischman moved to approve the lease of the first floor of Old Town Hall to Aavishkar Innovations Inc. for \$7,300 annually commencing March 1, 2016 and ending on February 28, 2017. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Moonan moved to approve the lease for space 109 in Old Town Hall to Martha Shea Smith Art for \$4,306 annually commencing March 1, 2016 and ending on February 28, 2017. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

16-203 Depot Park Advisory Committee – Request for Proposals Discussion

Mr. Reed explained that one of the Selectmen's goals is the future leasing of the Depot Building. The Depot Park Advisory Committee presented their recommendation for leasing the space. The committee would like to maintain the current configuration with two units on both the first and second floor with the basement being rented out for storage. A tenant that would lease all four units would be considered highly advantageous while two tenants leasing two of the spaces would be considered advantageous. Leasing the four units to four separate tenants would not be advantageous. The committee also would like to see a retail business on the first floor.

Chair Siegenthaler stated that it should be a goal to restore the interior of the building by removing the non-original second floor. Ms. Fleischman asked if staff could locate the original architectural study of the Depot Building from 10 years ago. The study shows renderings of what the depot building used to look like before the second floor was added.

Mr. Piantedosi added that removing the second floor would eliminate half of the potential rental income once it was completed and the building would be vacant for a year during construction.

Ms. Fedele stated that this topic should be included in the larger discussion of not leasing to private businesses and that the Depot building could potentially be used for the Town Museum or another function. She suggested that the current tenant's leases be renewed for the short term.

Donna Waghorne is a current tenant at the Depot Building and thinks that it would not be cost effective to remove the second floor. She also mentioned that current tenants have put money into outfitting their spaces.

16-204 Refunding Bonds Issuance – Approval

Finance Director Victor Garofalo reported that the Refunding Bond Sale of March 3, 2016 will result in a total savings of \$784,738.80. This is the fourth time in the last six years that the Town has refunded its Bonds, which has yielded \$3,654,026 in savings. Most of the Town's borrowing is classified as exempt debt.

Mr. Rosenberg moved the following:

Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town's (i) \$7,380,000 General Obligation Municipal Purpose Loan of 2007 Bonds dated April 1, 2007 maturing on and after May 1, 2018, and (ii) \$15,885,000 General Obligation Municipal Purpose Loan of 2009 Bonds dated July 15, 2009 maturing on and after September 15, 2020 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$8,250,000 General Obligation Refunding Bonds of the Town dated March 3, 2016 (the "Bonds"), to J. P. Morgan Securities LLC at the price of \$9,547,341.51 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall

be payable on September 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2017	\$ 385,000	2.00%	2022	\$1,165,000	4.00%
2018	375,000	4.00	2023	1,145,000	4.00
2019	370,000	1.50	2024	900,000	4.00
2020	1,170,000	4.00	2025	875,000	4.00
2021	1,170,000	4.00	2026	695,000	4.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 17, 2016, and a final Official Statement dated February 23, 2016 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: to authorize the execution and delivery of a Refunding Escrow Agreement to be dated March 3, 2016, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Treasurer to review and update the Town's post-issuance federal tax compliance procedures with such changes as the Treasurer and bond counsel deem sufficient, if any, in order to monitor and maintain the tax-exempt status of the Bonds.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

16-206 Liquor License Question and Update – Representative Kenneth Gordon

State Representative Ken Gordon updated the Selectmen on the status of the Home Rule petition to obtain 8 more All Alcohol licenses. The Massachusetts House of Representatives added language to the bill that would add restrictions to the 8 over limit licenses. Once granted these licenses would be tied to the original address and could not be transferred to another location. Transferring the license to another location would require filing another Home Rule petition with the legislature.

Representative Gordon asked the Selectmen how they would like him to proceed whether to try to have the House remove the language or whether to accept the bill as is with the restrictions.

Chair Siegenthaler asked if the Governor's proposed reform bill would eliminate all these restrictions. Representative Gordon responded that it would.

Mr. Reed stated that there is one All Alcohol license available at this time.

Ms. Fleischman stated that the restrictions are impractical for businesses.

The general consensus was to move forward with the more restrictive version.

16-205 2016 Annual Town Meeting Warrant
Article Recommendations
Article Assignments

Conservation Commission (Concom) Chair Steven Hagan informed the Selectmen that there will be a short presentation at Annual Town Meeting on the proposed changes to the Wetlands Protection Bylaw. The Selectmen asked that Concom have a handout ready at Town Meeting that compares the current version of the bylaw with the proposed changes. Ms. Fleischman added that it should be made available on the Town Website before Town Meeting.

Mr. Reed reported that the Planning Board is still holding public hearings for some of the proposed Zoning Bylaw amendments.

16-207 Miscellaneous Action Item – Temporary Sign Permit Application – Bedford
High School Play

Ms. Fleischman moved to approve the Temporary Sign Permit Application for the Bedford High School Musical for March 1, 2016 through March 17, 2016. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

16-208 Minutes – Regular Session Minutes – February 8, 2016

Mr. Moonan moved to approve the Regular Session Minutes of February 8, 2016 as amended. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

16-209 Town Manager's Report

Mr. Reed reported that a check was received from Jet Aviation in the amount of \$34,000 for a settlement based on a wetlands suit. The money from the settlement must be used for either open space acquisition or environmental improvements. Mr. Reed is recommending that the funds be accepted as a gift and used to restore some of the Community Preservation money that was spent on the acquisition of the Kelly Parcel at 340A Concord Road.

Ms. Fleischman moved to accept the funds from Jet Aviation and apply those funds to the acquisition of the Kelly Parcel at 340A Concord Road. Mr. Moonan seconded the motion.
The motion passed 5-0-0.

16-210 Open Discussion and Selectmen Liaison Reports

Mr. Moonan mentioned that he saw a news report about computer hackings in communities and wondered what the Town was doing to prevent this from happening here. Mr. Reed reported that the Town is having a security audit done and that staff will be trained on proper procedures.

Chair Siegenthaler expressed concern over the letter from a company called Seven Point inquiring about opening a medical marijuana dispensary in Bedford. Mr. Reed reported that other communities received the exact same letter and that the company cannot proceed without a letter of approval from the Town.

Mr. Moonan made a motion to adjourn. Ms. Fedele seconded the motion.
The motion passed 5-0-0.

The meeting adjourned at 9:11p.m.